

Law Offices of Natan Epstein
Attorney Docket No. DE011

arm ends located forwardly of the backrest, and handgrips thereby to distinguish over Kiel.

Independent Claim 19 has been amended to recite handgrips supported near armrests forwardly of the backrest and connected to the backrest such that a person seated in the wheelchair may operate the handgrips for pivoting the backrest between an upright position and a reclined position.

In the Office Action, the Examiner concedes that Kiel does not teach detent arms positioned in front of the wheelchair occupant. This, of course, is an important feature given that wheelchairs are typically occupied by disabled individuals who are not capable of reaching behind the backrest to operate the detent arms 26 of Kiel. Enabling wheelchair occupants for adjusting the backrest to suit their comfort without requiring the help of an attendant is an important objective of this invention. Such empowerment is important both physically and psychologically to disabled wheelchair occupants and is made possible by providing detent arms which are accessible in front of the backrest, and not behind the backrest as in the case of Kiel.

II) Claims 1-3, 9, 19 and 23 have been rejected under 35 USC § 102(b) as anticipated by Peek.

Peek discloses a wheelchair with anti-tip wheels 50 which are raised and lowered in response to pivoting of the chair backrest. Peek fails to show the detent arm ends and handgrips located forwardly of the chair backrest as now claimed in applicant's independent claims 1, 19. The Peek reference is exemplary of the prior art limitations, which encourage dependency upon others by wheelchair bound persons. It is precisely this shortcoming which applicant's invention seeks to address.

As amended, each of applicant's independent claims are believed to patentably distinguish over Peek.

III) Claims 1-3, 13-15, 19 and 24 have been rejected under 35 USC § 102(e) as anticipated by White et al.

White et al. falls short of applicant's invention as now claimed for the same reasons enumerated in connection with the Peek reference above. This reference also fails to teach or suggest forward located detent arms or handgrips of independent Claims 1 and 19 operative for lowering anti-tip legs in response to reclining movement of the backrest.

The claims dependent upon Independent Claims 1 and 19 recite features novel and unobvious over the art of record and are allowable with their respective base claims.

The new Claims

New independent Claim 30 combines the elements of original Claim 1 with those of Original Dependent Claim 4, a combination indicated to be allowable in the Office Action. For this reason, Claim 30 and new Claims 31-37 dependent thereon are believed to be allowable.

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CONCLUSION

Review and reconsideration of the application in light of the accompanying Amendment and Remarks is requested.

As amended, all claims are believed to patentably distinguish over the references of record, whether taken singly or in combination. A Notice of Allowability is believed to be in order, and such action is respectfully solicited.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'N. Epstein', written over a horizontal line.

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